

REMARKS/ARGUMENTS

Claims 1-7, 9-13, 15, 18-25, 27 and 29-33 are present in this application. By this Amendment, claims 1, 12, 15 and 19 have been amended, and claims 8, 14, 16 and 17 have been canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the Amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution and raised by the Examiner in the previous Office Action; (c) does not present any additional claims without canceling the corresponding number of finally-rejected claims; and (d) places the application in better form for appeal, should an appeal be necessary. The Amendment was necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the Amendment is thus respectfully requested.

Claims 1-4, 7-25, 27, 30 and 32 were rejected under 35 U.S.C. §102(e) over U.S. Published Patent Application No. 2001/0037373 to Cambridge. This rejection is respectfully traversed.

As noted previously, an important objective of the present invention is to facilitate a product purchase using a computer but without requiring access to the Internet. This feature of the invention has been further clarified in the claims, for example, in claim 1, defining a step of initiating and completing the purchase of an item without accessing the Internet. Support for this subject matter can be found in the specification at, for example, page 7, lines 6-18.

In this context, the Office Action recognizes that the Cambridge publication requires access to the Internet in order to initiate and complete a purchase. See page 6 of the Office Action, providing that in the Cambridge system, “the Internet Service provider is not executed until both the offline browsing session has been completed and the customer has entered name, billing, and credit card information.” As such, it seems the Examiner appreciates that Cambridge indeed requires Internet access in order to initiate and complete the purchase. Applicants thus respectfully submit that the rejection of claim 1 is misplaced.

Claim 12 defines related subject matter, and claim 15 defines a communication device that initiates and completes the purchase of the item without accessing the Internet. Claim 19 recites means for, if purchasing data have been stored, selectably establishing a communication link to a remote vendor for order processing without accessing the Internet. For reasons similar to those discussed above with regard to claim 1, Applicants respectfully submit that the rejection of these independent claims is also misplaced.

With regard to the dependent claims, Applicants submit that these claims are allowable at least by virtue of their dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 5 and 6 were rejected under 35 U.S.C. §103(a) over Cambridge in view of U.S. Patent No. 6,026,376 to Kenney, and claims 28, 29, 31 and 33 were rejected under 35 U.S.C. §103(a) over Cambridge in view of U.S. Patent No. 5,918,213 to Bernard et al. Applicants respectfully submit, however, that these references do not provide any suggestion to modify the Cambridge publication to correct those deficiencies noted above. As such, Applicants submit that these dependent claims are allowable at least by virtue of their dependency on an allowable independent claim. Withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Alan M. Kagen/
Alan M. Kagen
Reg. No. 36,178

AMK:jls
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100